J. F 5-1895.

G. R. S. IX-5]

Previous references.

~~191~~ 1895-6.

(Courts)

File No. 8 - 1895

Serial Nos. 1 - 2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 - 2

Majs Part B for March 96

SUBJECT.

Memorial of Prisioner Marilinga under Sentence of death by H. H. The Maharani of Mysore

---

W D 88—GPB—50,000—24-7-16

Indexed

Ms

Countermarked

~~MATTER FOR COUNCIL.~~

SUBJECT:

Letter from the Registrar of the Chief Court No 3592 d/24 January 1896 forwarding the Memorials of Imam Ali &c under sentence of death together with the entire record of his trial & file no 5/1895/96

Circulated to Councillors.

By order,

3rd February 1896 *General Secretary.*

Names.	Date of receipt.	Date when passed on.
Rajadharma Pravina T. R. A. Thumboo Chetty, Esq., C.I.E. ...		
P. N. Krishna Murti, Esq. ...	4.2.96.	3/2/96 Received 4/2/96
Khan Bahadur Abdul Rahman, Esq. ...	12/2/96	12-2-96
The ~~Dewan~~ Genl. Secretary		

9

Memo. submd. for Hrs the
Maharaja Regent's order.

This is a very clear but most
brutal case of murder. The
facts are explained in the
unreasoning police judgment of
the Ag. Sessions Judge. pp. 12 & 17 -
~~Para~~ of the accompanying printed
file.

I submit a draft of order rejecting
the Memorial -

9.3.96.

3

I have read the record. The conviction is based upon clear & reliable evidence. The sentence is not in appropriate. It does not in my opinion call for any modification. I would not, under these circs, take it upon myself to advise Her Highness to interfere and exercise Her Royal Prerogative in favour of this prisoner who has sent up this memorial.

11th February 1896. } Members Council

A case of murder has been clearly brought home to the memorialist. I see no ground whatever for interfering with the sentence passed upon him.

12th Feb/96 Abdul Rahman
3rd Member of Council

Prisoner Mariliiga

1. No. of case.

Criminal Case No. 30 of 1895-96

General Asst. Commissioner and

on the file of the 1st Class Magistrate

of the Mymensingh District

Mymensingh Sessions Case

No. 14 of 1895-96, and Criminal

Appeal Case No. 77 of 1895-96

on the file of the Chief Court Mymensingh.

2. Court or Courts which tried it,

1st Class Magistrate's Court Mymensingh

District and the Sessions Court of the

Ashtagram Division.

3. Nature of sentence originally passed and confirmed or altered in appeal.*

Sentenced to death by the Sessions Judge and confirmed in appeal by the Chief Court.

* Date of sentence.

7th November 1895.

5

In the Matter of a Memorial from

Mari Linga under Sentence of death passed on Conviction of the offence of Murder under S. 302 of the Indian Penal Code passed in Cuttapan Sessions Case No. 5 of 1895-96 & Confirmed by the Chief Court in Criminal Appeal No. 77 of 1895-96.

Her Highness the Maharani-Regent

has been pleased to pass the following

Order.

No grounds exist for any interference with the Sentence of death passed upon the Memorialist. The Memorial is accordingly rejected.

Mysore 9 March 1896.

by.

Kempanayamani

(General Serial No. 30.)

1895/96

0241.

From

The Registrar of the
Chief Court of Mysore.

To

The General Secretary
to the Government of Mysore.

Courts-1895-I

Dated 24 Jany/96

Despatched —

Received 29 — — @ 4 P.M.

~~Enclosures No.~~ 3592/146 Encl: 7

General No.

No. —

Inmate for despatch
Memorial of Prisoner
Imam Lingu addressed
to Her Highness the Maha-
rani Regent of Mysore

regent

Inst. Report submit today
29-1-96

Central Jail Press, Bangalore.—18-12-95.—502.

N 3592/146 Jud: 7

V

Bangalore
24th January 1896

From

The Registrar of the
Chief Court of Mysore.

To

The General Secretary to the
Government of Mysore.

Sir

I am directed to forward the Memorial (with its translation) of the prisoner Mari Linga addressed to Her Highness the Maha Rani Regent of Mysore, for disposal.

2. The entire records (to be obligingly returned) along with the 2 printed copies of the whole proceedings including the judgment of the Chief Court are also herewith forwarded for reference.

3. The Superintendent of the Mysore Jail has been requested by the Sessions Judge of Mysore to stay the execution of sentence till the disposal of the Memorial.

I have the honor to be,
Sir,
Your most Obedient Servant

Illegible
Registrar.

1 Enclosure: As above: No 7 Criml Referred Case No 5 of 1895-96 on the file of the Chief Court.
2. Mysore Sessions Case No 14 of 1895-96.
3 Enclosure: Case No 30 of 1895-96 on the file of the Chief Court: Accd: Court and 1st Class Magte. of Mysore.

Jud

Signed before me

17/11/96

T.V. Arunachalam
Superintendent
Mysore Jail

To

Her Highness the Maharanee,
the Regent of Mysore.

Criminal appeal no 77 of 1895-96
Referred case no 5
on the file of the Chief Court of
Mysore, Bangalore.

The Memorial of the condemned
prisoner Marilinga no. 3489. now
in the Jail at Mysore.

My wife was in her sixth
month pregnancy. I had sent
her to my mother-in-law's house
for delivery. It is true that
I was visiting my mother in-law's
house during my leisure time.
I was enquiring after her (my
wife's) welfare. I used to earn
my livelihood by working with
Kamatigs (coolies) of the Palace
Department. On the day
of the murder, I was working
with the coolies of the Palace

department viz Doddalakka, Dodda Manchaiya, Kooni Koniah, Ulroo Basavaya residents of Veerapagey, till 6 o'clock in the evening. These persons have been working there even now. If these individuals are enquired into, your Highness will be well convinced that I am innocent. I was lying down in my house quite exhausted after the day's labor The Police took me from my house saying that somebody had murdered my wife. When I went to my mother in law's house I found my wife dead Being unable to endure my grief, I began to weep rolling on and about the corpse. Although I was innocent, the Police charged me that I murdered her and troubled me much. Owing to the torture of the Police I confessed

before them but I have stated before the Sessions Court that I did not commit the offence. Only my wife and I used to remain in the house and as such I could have smoothly got rid of her if I had intended to do so. It is for Your Highness to judge the legality of the sentence of death passed upon me on account of the murder which occurred in my mother in Law's house. I am a poor man. My wife and I were mutually loving each other. I honestly confess that I did not assassinate my wife. I therefore most beseechingly pray Your Highness will show merciful view of my unfortunate case and release me from my present confinement.

The witnesses Hanuma, Koolla Chella Kala, & Bodhi Giddi Linga

who were examined before the Sessions Court have de-
-posed that the Police took me from my house after the murder. Their evidence will show that I am innocent. My mother in Law has in collusion with the Police, in-
-volved me in the case lest she would be brought to trouble since the murder occurred in her house.

I therefore most humbly pray that Your Highness will be pleased to peruse the records of the case and release me -

mark

17. 1. 96.

Signed before me.
T. V Arumugam
Superintendent
Mypore Jail

Translation

C Kanapathy
Sheristedar

N 3220/289

9

Fr 30
10/1/96

In the Chief Court of Mysore at Bangalore
Friday the 20th day of December 1895.

Present

J. W. Best Esquire, Chief Judge.

and

C. Meenachaya Esquire, Judge.

Petition of Criminal appeal No. 77 of 1895-96, Referred Case No. 5 of 1895-96 against the conviction and sentence by the Sessions Judge of Ashtagram Division, under Section 302 of the Indian Penal Code, in Mysore Sessions Case No. 14 of 1895-96.

Appellant

Mari Linga (Accused)

Judgment.

There is, in our opinion, no room for doubt in this case. The wounding of the deceased Boree by the appellant is proved by the evidence of two eye witnesses - Uchi and Siddi - the truth of which there is no reason to doubt - appellant was arrested shortly after, covered with blood, and subsequently confessed the offence. It is also proved that the sickle with

which

which the offence was committed belongs to appellant, and was found stained with blood in the place indicated by him.

The act of the appellant clearly amounts to murder. It was cold blooded and premeditated.

We, therefore, confirm the conviction and sentence, and dismiss the appeal.

A true copy
H Agastra Mudr
Registrar.

A6

Confirmation of Capital Sentence
376 Section ~~288~~ C. P. C.
Form No. 28, Criminal.

IN THE COURT ~~OF THE CHIEF JUDGE~~ Chief OF MYSORE.

Criminal Jurisdiction.

No. 5 of 1895-96

The Government.

Versus.

Mari Linga ——— *Accused*

Mysore Sessions Case No. 14 of 1895-96
Criminal Appeal No. 77 of 1895-96.

Upon reading a proceeding dated the 15th day of November 1895, from the Sessions Judge of Mysore — referring for confirmation the Sentence of Death passed by the Court of Session of Mysore upon the said Mari Linga — on the 7th day of November 1895, and the proceedings of the said Court of Session on the trial of the said Mari Linga

IT IS ORDERED that the conviction of the said Mari Linga under Section 302 of the Indian Penal Code by the said Court of Session on the said 7th day of November 1895, and the Sentence of Death passed on the said Mari Linga be and the same are hereby confirmed.

Given under my hand and the Seal of this Court on this 20th day of December in the year One Thousand Eight Hundred and ~~Eighty~~ Ninety Five.

CHIEF COURT OF MYSORE

By the Court
~~Chief Judge~~
W Rajalakshmiah
Registrar

Mysore Government Press, Bangalore.—27-10-81.—250.

Order of Appellate Court confirming sentence.

Section 423 C. P. Code.
Form No. 20, Criminal.

Chief

IN THE COURT OF Mysore at Bangalore

Criminal Appeal No. — 77 — of 1895-96

Referred Case No. 5 of 1895-96.

Mari Linga

Appellant.

Verses.

THE MYSORE GOVERNMENT.

Upon reading a petition of appeal presented by the said appellant ——— against the sentence of the Sessions Judge — of Ashtagram —, passed on a conviction under Section — 302 — of the Indian Penal Code on the ——— 7th day of November — 1895, and upon reading the proceeding of the said Sessions Judge — on the trial of the said appellant, ——— and after hearing the arguments of Mr. C. Sreenivasiengar, advocate for the appellant;

It is ordered that the appeal be dismissed, and that a copy of this order be sent to the Court of the said Sessions Judge of Ashtagram Division for record.

And it is further ordered that a copy of this order be sent to the Officer in charge of the Jail at Mysore ——— for the information of the said appellant

Given under my hand and the seal of this Court this 20th day of — December ——— 1895.

By the Court

(Signed) V. A. Rajaratna Mudaliar

Registrar

× Mysore Sessions Case No. 14 of 1895-96.

CHIEF COURT OF MYSORE

Central Jail Press, Bangalore.—15-4-92.—1,002.

Copy

Registrar

Registrar.

Warrant for execution of capital sentence.

Section 301, C. P. C.
Form No. 35, Criminal.

IN THE COURT OF SESSIONS FOR THE DIVISON.

Ashtagram

Trial No. Mysore Sessions Case no 14 of 1895-96
Criminal appeal no 77 of 1895 96 on the file of the Chief Court of Mysore Bangalore

To

The Officer in charge of the

Jail at Mysore

Whereas Marilinga of Mysore

was convicted before this Court, on the 7th (Seventh) day of November 1895, of the offence of murder

under Section 302 of the Indian Penal Code, and was sentenced to be hanged by the neck until he is dead; and whereas the said sentence has been duly confirmed by order of the Court of the Chief Judge of Mysore.

You are hereby required to cause the said sentence to be carried into execution, according to law, on Wednes day the 22nd day of January 1896, ~~or so soon thereafter as may be.~~

GIVEN under my hand and the seal of this Court on this 11th day of January 1896

DISTRICT AND SESSIONS COURT * MYSORE DISTRICT *

Sessions Judge.

14

I hereby certify that the sentence of death passed upon

of by the Court of Session for the Division

has been executed and that the said was ac-

cordingly hanged by the neck until he was dead at on

day the day of 189 .

The day of 189 .

Officer in charge of the Jail at

Central Jail Press, Bangalore.—24-11-92.—402.

In the Chief Court of Mysore at Bangalore

Friday the 20th day of December 1895.

Present.

J. W. Best Esquire. Chief Judge.

and

Menaeshaya Esquire. Judge.

Petition of Criminal appeal No: 77 of 1895-96.
Referred Case No: 5 of 1895-96.
against the Conviction and Sentence by the Sessions Judge of Astagram Division, under Section 302 of the Indian Penal Code, in Mysore Sessions Case No: 14 of 1895-96.

Appellant

Nari Linga
(Accused)

Judgment.

There is, in our opinion, no room for doubt in this case. The wounding of the deceased Boree by the Appellant is proved by the evidence of two eye witnesses: Uchi and Siddi the truth of which there is no reason to doubt: appellant was arrested shortly after,

Covered

covered with blood, and subsequently confessed the offence. It is also proved that the sickle with which the offence was committed belongs to appellant and was found stained with blood in the place indicated by him.

The act of the appellant clearly amounts to murder. It was cold blooded and premeditated.

We, therefore confirm the conviction and sentence, and dismiss the appeal.

A true copy
Illegible
Registrar

Copy applied for through the Superintendent Mysore Jail 11.1.96.
Rec'd 15-1-96
Copy ready 15-1-96
Copy despatched — 15-1-96.

Illegible
Registrar.

Illegible

17

No. 10671
& 1173

OFFICE OF THE DEWAN OF MYSORE.

Dated Bangalore, 17th March 96

8 2
ch 8-95

From

The ~~Chief~~ Secretary to the Dewan of Mysore.

To

The Registrar of the Chief Court of Mysore.

SIR,

I am directed to forward herewith for information of the Judges of the Chief Court and for communication to the prisoner Mare Linga undergoing sentence of death in the Bangalore Central Jail, copy of order passed by H. H. the Maharaja Regent of Mysore on the prisoner's memorial.

2. The entire records received with your letter No. 3592 dated 24th January 1896, are herewith returned. 146

Draft submitted.
11/3/96

I have the honor to be

SIR,

Your most obedient servant

1893

Chief Secretary.